

**BEFORE THE  
NATURAL RESOURCES COMMISSION  
OF THE  
STATE OF INDIANA**

**IN THE MATTER OF:**

|                                      |   |                                |
|--------------------------------------|---|--------------------------------|
| <b>ADMINISTRATIVE RULE GOVERNING</b> | ) | <b>Administrative Cause</b>    |
| <b>A STATE-WIDE BOBCAT TRAPPING</b>  | ) | <b>Number: 24-FW-010</b>       |
| <b>SEASON</b>                        | ) |                                |
|                                      | ) | <b>LSA Document #24-383(F)</b> |

**REPORT ON RULE PROCESSING, PUBLIC HEARING, AND HEARING  
OFFICER ANALYSES WITH RECOMMENDATIONS REGARDING FINAL ACTION**

**1. RULE PROCESSING**

**A. OMB AND SBA APPROVAL:**

For consideration as to final action is the proposed rule amending 312 IAC 9-2-3, 312 IAC 9-3-9, 312 IAC 9-3-18.1, 312 IAC 9-3-18.4, 312 IAC 9-10-4, and 312 IAC 9-10-12 to allow an individual to sell, trap, hunt, and possess bobcats in specific counties in the State of Indiana and to establish a statewide quota for the bobcat trapping season. The proposed final rule is attached as Exhibit A.

The Indiana General Assembly proposed the establishment of a bobcat trapping season in Indiana, which eventually was signed into law as IC 14-22-6-17 on March 11, 2024. Section (b) of IC 14-22-6-17 states that, “The director [of the Department of Natural Resources] shall, not later than July 1, 2025, adopt rules to establish a season to take a bobcat.” A 60-day waiver was published as required by IC 14-22-2-19(b) as the Department of Natural Resources (Department) needed additional time to conduct research to determine the best quota and bagging limits for a bobcat trapping season.

David Bausman, former General Counsel for the Department, submitted the proposed rule language and regulatory analysis to the Indiana Office of Management and Budget (OMB) and Indiana State Budget Agency (SBA) for review and approval. By letter dated July 30, 2024,

Cristopher Johnston, OMB Director, and Zachary Q. Jackson, SBA Director, authorized the Department to proceed with the proposed rule as follows:

Pursuant to the provisions of IC 4-22-2-22.8, the Office of Management and Budget and State Budget Agency have reviewed the proposed rule that amends 312 IAC 9-2-3, 312 IAC 9-3-9, 312 IAC 9-3-18.1, 312 IAC 9-3-18.4, 312 IAC 9-10-4, and 312 IAC 9-10-12 (OMB #2024-36R) which you submitted on May 30, 2024. After reviewing the proposed rule, the recommendation of OMB and SBA is that the rule changes be approved. Indiana Department of Natural Resources is authorized to commence the public comment period(s).

Furthermore, if you revise the proposed rule after this approval, you must resubmit the rule and obtain a new approval pursuant to IC 4-22-2-22.8(e).

IDNR may proceed with the rule proposed in its submission.

The Natural Resources Commission granted preliminary adoption of the rule on September 17, 2024.

#### **B. AUTHORIZATIONS TO PROCEED AND PUBLICATION:**

The Commission received Authorization to Proceed for the first public comment period from the Legislative Services Agency on September 25, 2024. The **Notice of First Comment Period** to adopt a rule was published in the Indiana Register at DIN: 20241009-IR-312240383FNA on October 9, 2024. The **Notice of Public Hearing** was published at DIN: 20241009-IR-312240383PHA on October 9, 2024. Substantive comments were received during the first comment period, requiring a second public comment period be initiated.

The Commission received Authorization to Proceed for the second public comment period from the Legislative Services Agency on November 26, 2024. The **Notice of Second Public Comment Period** was published at DIN: 20241211-IR-312240383SNA on December 11, 2024. The **Notice of Second Public Hearing** was published at DIN: 20241211-IR-312240383PHA on December 11, 2024.

The Commission posted all notices of the comment periods and notices of public hearings, with the Regulatory Analysis and other information required under IC 4-22-2-22.5, on the Commission's rulemaking docket maintained on its website at

<https://www.in.gov/nrc/rules/rulemaking-docket/>. The rulemaking docket was updated periodically as the rule adoption process progressed. Each Notice of Public Comment identified Linnea Petercheff as the “small business regulatory coordinator” for purposes of IC 4-22-2-28.1.

## **2. PUBLIC HEARING AND COMMENT**

Public hearings were held on November 14, 2024 at the Purdue Southeast Agricultural Center, 4425 County Road 350 North, Butlerville, Indiana, and January 16, 2025 at the Johnson County Fairgrounds (Scott Hall), 250 Fairgrounds Street, Franklin, Indiana. Each meeting was live streamed via Teams and VBrick, providing members of the public the opportunity to appear in person or through the Teams or VBrick application and provide comments. The public was able to make comments through the Commission’s Rulemaking Docket, by email, and by United States mail during the public comment periods of October 9 through November 14, 2024 and December 11, 2024 through January 16, 2025. Most of the comments were submitted electronically through the Commission’s Rulemaking Docket or by email. Several comments were received by US Mail and at the two public hearings.

Several comments were received in support of the rule and in opposition to the rule. Other comments were not applicable to the proposed changes. A summary of the comments and the Department’s responses to the comments was prepared by Linnea Petercheff and is attached to this report as Exhibit B.

## **3. HEARING OFFICER ANALYSES WITH RECOMMENDATIONS REGARDING FINAL ADOPTION**

Indiana Code 4-22-2-19.5 provides the following standards for rules:

- (a) To the extent possible, a rule adopted under this article or [IC 13-14-9](#) shall comply with the following:
  - (1) Minimize the expenses to:
    - (A) regulated entities that are required to comply with the rule;
    - (B) persons who pay taxes or pay fees for government services affected by the rule; and
    - (C) consumers of products and services of regulated entities affected by the rule.
  - (2) Achieve the regulatory goal in the least restrictive manner.
  - (3) Avoid duplicating standards found in state or federal laws.

- (4) Be written for ease of comprehension.
- (5) Have practicable enforcement.

(b) Subsection (a) does not apply to a rule that must be adopted in a certain form to comply with federal law.


The proposed final rule amendments meet these standards. The proposed amendments impose no additional costs on the Department or regulated entities. The amendments achieve the regulatory goal of instituting a bobcat trapping season across 40 southern Indiana counties while managing natural resources in the least restrictive manner. The proposed amendments do not duplicate standards in other state or federal laws, can be easily read and comprehended, and will be enforced by the Department.

Creating a bobcat trapping season in 40 southern Indiana counties will allow opportunities for licensed trappers in those counties to trap bobcats and will allow some emerging bobcat damage issues to be addressed, such as the taking of livestock, during the season without a permit from the Department.

The proposed amendments impose a state-wide quota of 250 bobcats per season and maintain a one (1) bobcat individual bag limit. By establishing a statewide quota, closing the season when the quota is met, and maintaining a one (1) bobcat per season individual bag limit, the Department does not anticipate any negative impacts on the bobcat population. Additionally, other limitations are in place to ensure that the bobcat population continues to thrive and expand. Allowing bobcats to be trapped in specific counties in Indiana will also simplify the rule by making it easier for trappers to know where they can legally trap bobcats during the bobcat trapping season.

Upon consideration of the rule, the public comments related to the rule, and the Department's responses to those comments, the Hearing Officer recommends final adoption of the proposed final rule.

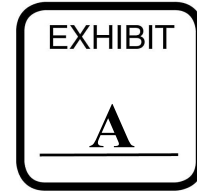
DATED: February 25, 2025

A handwritten signature in black ink, reading "Aaron W. K. Bonar". The signature is written in a cursive style with a horizontal line underneath.

Aaron W. K. Bonar, Deputy Director  
Natural Resources Commission Division of  
Hearings, Hearing Officer

## TITLE 312 NATURAL RESOURCES COMMISSION

**Proposed Rule – Bobcat Trapping Season**  
LSA Document #24-383



**CITATIONS AFFECTED:** 312 IAC 9-2-3; 312 IAC 9-3-9; 312 IAC 9-3-18.1; 312 IAC 9-3-18.4; 312 IAC 9-10-4; 312 IAC 9-10-12

**AUTHORITY:** IC 14-10-2-4; IC 14-22-2-6

**PROPOSED RULE**

SECTION 1. 312 IAC 9-2-3 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-2-3 Applicability to wild animal parts**

**Authority:** IC 14-22-2-6

**Affected:** IC 14-8-2-108; IC 14-22

Sec. 3. (a) Except as provided in subsection (b), a ~~prohibition against the~~ **person may not:**

- (1) ~~possession;~~ **possess;**
- (2) ~~sale;~~ **sell;**
- (3) ~~offer for sale;~~
- (4) ~~(3)~~ **purchase;**
- (5) ~~offer for purchase;~~
- (6) ~~shipment;~~ **(4) ship;**
- (7) ~~transportation;~~ **(5) transport;**
- (8) ~~delivery;~~ **(6) deliver;** or
- (9) ~~receipt;~~ **(7) receive;**

of a wild animal. ~~also~~ **This section** applies to any part ~~or portion of that~~ a wild animal.

(b) ~~The prohibition established under~~ Subsection (a) does not apply to the following: ~~parts of wild animals taken lawfully:~~

- (1) ~~A tanned hides.~~ **hide.**
- (2) Any portion of a furbearing mammal, **as defined by IC 14-8-2-108.**
- (3) Cured feathers.
- (4) ~~A squirrel tails.~~ **tail.**
- (5) ~~An untanned deer hides.~~ **hide.**
- (6) Antlers.
- (7) Hooves.
- (8) Any ~~portion~~ **part** of a river otter.
- (9) ~~An untanned squirrel hides.~~ **hide.**
- (10) Any part of a bobcat.**

*(Natural Resources Commission; 312 IAC 9-2-3; filed May 12, 1997, 10:00 a.m.: 20 IR 2700; filed May 28, 1998, 5:14 p.m.: 21 IR 3712; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Feb 26,*

2015, 2:01 p.m.: 20150325-IR-312140341FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 2. 312 IAC 9-3-9 IS AMENDED TO READ AS FOLLOWS:

### **312 IAC 9-3-9 Disposition of certain wild animals**

**Authority:** IC 14-10-2-4; IC 14-22-2-6

**Affected:** IC 14-8-2-108; IC 14-22

Sec. 9. (a) This section governs the **disposition of the** following species of wild animals that ~~die~~ **are killed** following a **motor vehicle** collision ~~with a motor vehicle~~ or are found dead:

- (1) ~~White-tailed~~ **A deer.**
- (2) ~~A fox.~~ **or**
- (3) **A gray squirrel.**
- ~~(3)~~ **(4) An eastern cottontail rabbit.**
- ~~(4)~~ **(5) A furbearing mammal, as defined by IC 14-8-2-108.**
- ~~(5)~~ **(6) A river otter.**
- ~~(6)~~ **(7) A wild turkey.**
- ~~(7)~~ **(8) A bobwhite quail.**
- ~~(8)~~ **(9) A ring-necked pheasant.**
- (10) A bobcat.**

(b) ~~An individual~~ **A person** may possess a species of wild animal listed ~~in~~ **under** subsection (a) with a special purpose salvage permit issued ~~in accordance with~~ **under** 312 IAC 9-10-13.5 or a permit issued by **a**:

- (1) **a conservation officer;**
- (2) ~~a district~~ **wildlife biologist for the department;**
- (3) **a property manager or assistant property manager for the department; or**
- (4) ~~an individual~~ **law enforcement officer** designated by the conservation officer **under subdivision (1).**

*(Natural Resources Commission; 312 IAC 9-3-9; filed May 12, 1997, 10:00 a.m.: 20 IR 2706; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 15, 2015, 3:43 p.m.: 20150715-IR-312140453FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)*

SECTION 3. 312 IAC 9-3-18.1 IS AMENDED TO READ AS FOLLOWS:

### **312 IAC 9-3-18.1 Bobcats**

**Authority:** IC 14-10-2-4; IC 14-22-2-6

**Affected:** IC 14-22

Sec. 18.1. (a) ~~A person must not~~ **An individual may** take a bobcat (*Lynx rufus*) ~~except with one (1) of the following:~~

- ~~(1) A scientific purposes license under 312 IAC 9-10-6.~~
- ~~(2) A nuisance wild animal control permit under 312 IAC 9-10-11.~~ **beginning November 8 and ending:**
  - (1) January 31 of the following calendar year; or**
  - (2) the date on which the statewide quota under subsection (g) is reached;**

whichever is earlier.

(b) Except as provided under IC 14-22-11-1, an individual may not trap a bobcat unless the individual possesses at least one (1) of the following licenses:

- (1) A resident license to take a bobcat under IC 14-22-12-1(a)(36).
- (2) A nonresident youth license to take a bobcat under IC 14-22-12-1(a)(37).
- (3) A resident youth consolidated license to hunt and trap under IC 14-22-12-1(a)(24) or IC 14-22-11-10(b).
- (4) A nonresident license to take a bobcat under IC 14-22-12-1(a)(38).
- (5) A lifetime basic trapping license under IC 14-22-12-7(a)(6) before its repeal.

(c) An individual may not take more than one (1) bobcat in a bobcat trapping season.

(d) An individual who captures a bobcat alive and does not include it in the bag limit for the individual under subsection (c) shall release the bobcat into the wild in the location where the bobcat is captured immediately after discovering the bobcat.

(e) An individual may trap a bobcat in the following counties:

- (1) Bartholomew County.
- (2) Brown County.
- (3) Clark County.
- (4) Clay County.
- (5) Crawford County.
- (6) Daviess County.
- (7) Dearborn County.
- (8) Dubois County.
- (9) Floyd County.
- (10) Franklin County.
- (11) Gibson County.
- (12) Greene County.
- (13) Harrison County.
- (14) Jackson County.
- (15) Jefferson County.
- (16) Jennings County.
- (17) Johnson County.
- (18) Knox County.
- (19) Lawrence County.
- (20) Martin County.
- (21) Monroe County.
- (22) Morgan County.
- (23) Ohio County.
- (24) Orange County.
- (25) Owen County.
- (26) Parke County.
- (27) Perry County.
- (28) Pike County.



- (29) Posey County.**
- (30) Putnam County.**
- (31) Ripley County.**
- (32) Scott County.**
- (33) Spencer County.**
- (34) Sullivan County.**
- (35) Switzerland County.**
- (36) Vanderburgh County.**
- (37) Vermillion County.**
- (38) Vigo County.**
- (39) Warrick County.**
- (40) Washington County.**

**(f) An individual may trap a bobcat with a:**

- (1) cage trap;**
- (2) foothold trap permitted under section 18 of this rule; or**
- (3) snare permitted under section 18 of this rule with a relaxing snare lock.**

**(g) The statewide quota for the bobcat trapping season is two hundred and fifty (250) bobcats. The department shall track the statewide quota for trapping bobcats on the website of the department.**

**(h) An individual who takes a bobcat shall:**

- (1) report the taking; or**
  - (2) ensure the taking is reported;**
- by registering the bobcat with the electronic harvest reporting system of the department not later than twenty-four (24) hours after taking the bobcat. An individual reporting a take under this subsection shall provide true and accurate information to the department. An individual shall keep the confirmation number provided by the electronic harvest reporting system of the department with the bobcat until the individual checks in the bobcat with a designated department employee or at an official bobcat checking station under subsection (i).**

**(i) An individual who takes a bobcat during the bobcat trapping season shall possess the bobcat and deliver the skinned hide of the bobcat to a designated department employee or official bobcat checking station not later than fifteen (15) days after the calendar month in which the bobcat is harvested. A department employee shall issue a tag to the individual.**

**(j) A bobcat, including the hide and any other part of the bobcat, taken during the bobcat trapping season may not be:**

- (1) sold;**
- (2) traded;**
- (3) bartered;**
- (4) gifted;**
- (5) transferred to a taxidermist or any other person; or**
- (6) shipped;**

**until the bobcat is registered with the electronic harvest system for the department and issued a tag by a department employee under subsection (i).**

(k) After registering a bobcat and obtaining a tag from the department under this section, an individual who takes a bobcat may:

- (1) sell;
  - (2) trade;
  - (3) barter;
  - (4) ship; or
  - (5) otherwise transfer;
- the hide of the bobcat under this section and federal law.

(l) An individual may possess an untanned bobcat hide if the bobcat hide is lawfully obtained.

(m) An individual may not trap a bobcat:

- (1) after the individual bag limit under subsection (c) is reached;
- (2) after the statewide quota for the bobcat trapping season is reached;
- (3) after the bobcat trapping season ends; or
- (4) in a county not listed under subsection (e).

This subsection does not apply to an individual who takes a bobcat under a scientific purposes license under 312 IAC 9-10-6, or a nuisance wild animal control permit under 312 IAC 9-10-11.

(n) An individual who takes a bobcat with a trap that captures and immediately kills the bobcat:

- (1) during the bobcat trapping season after the individual bag limit under subsection (c) is reached;
- (2) after the statewide quota is reached;
- (3) in a county where the bobcat trapping season is not open;
- (4) outside the bobcat trapping season; or
- (5) without a license to take a bobcat under IC 14-22-12-1 or is exempt from the licensure requirement under IC 14-22-11-1;

shall notify the department not later than twenty-four (24) hours after taking the bobcat. The individual shall arrange to deliver the bobcat to the department.

~~(b) An individual must~~ (o) A person may not possess a live bobcat except as follows:

- (1) With a wild animal rehabilitation permit under 312 IAC 9-10-9.
- (2) With a scientific purposes license under 312 IAC 9-10-6.
- (3) With a nuisance wild animal control permit under 312 IAC 9-10-11.
- (4) With a wild animal possession permit under 312 IAC 9-11.
- (5) By a registered or licensed ~~educational or scientific institution, with the United States Department of Agriculture in accordance with 9 CFR, Chapter 1, Subchapter A, Parts I through IV.~~ person under IC 14-22-26-1.
- (6) ~~By a breeder, dealer, or exhibitor license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV.~~

~~(e)~~ (p) An individual ~~must~~ may not sell a live bobcat unless ~~that person has~~ the individual obtains a breeder, dealer, or exhibitor license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV **game breeder's license under 312 IAC 9-10-4.** *(Natural Resources Commission; 312 IAC 9-3-18.1; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-*

312090479FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 4. 312 IAC 9-3-18.4 IS AMENDED TO READ AS FOLLOWS:

### **312 IAC 9-3-18.4 Possession and sale of badgers**

**Authority:** IC 14-22-2-6

**Affected:** IC 14-22

Sec. 18.4. (a) A person ~~must~~ **may** not possess or sell a carcass, hide, or any part of a ~~bobcat or~~ badger unless the person meets **at least** one (1) of the following requirements:

(1) The person possesses satisfactory documentation that the **badger** carcass, hide, or part was lawfully acquired. Satisfactory documentation ~~must include~~ **includes at least** one (1) ~~or more~~ of the following:

(A) A legible copy of ~~any of~~ the following:

(i) A tag.

(ii) A receipt.

(iii) A ~~hunting~~ license **to hunt**.

(iv) A ~~trapping~~ license **to trap**.

(v) A permit **to take or possess a badger**.

(vi) ~~Other~~ **Another** appropriate record from the state or country where the animal, including any part or portion of the animal, was acquired.

(B) A receipt from ~~either of~~ the following:

(i) A fur buyer licensed under 312 IAC 9-10-12.

(ii) A taxidermist licensed under 312 IAC 9-10-5.

(2) The person obtains the **badger**:

(A) carcass;

(B) hide; or

(C) part;

from the director or ~~his or her~~ a designee **of the director** with written permission.

(b) In addition to subsection (a), a person ~~must~~ **may** not possess ~~a~~ **the** carcass or untanned hide of a ~~bobcat~~ **or** badger for more than fourteen (14) days unless the person is a fur buyer licensed under 312 IAC 9-10-12.

(c) A fur buyer licensed under 312 IAC 9-10-12, or a taxidermist licensed under 312 IAC 9-10-5, who sells:

(1) a carcass;

(2) a hide; or

(3) any part;

of a ~~bobcat or~~ badger must provide the purchaser with the documentation ~~described in~~ **under** subsection (a).

A purchaser who relies in good faith upon the documentation may offer it as an affirmative defense to an infraction or civil penalty alleging a violation ~~of~~ **under** subsection (a). (Natural Resources Commission; 312 IAC 9-3-18.4; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Feb 26, 2015, 2:01 p.m.: 20150325-IR-312140341FRA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 5. 312 IAC 9-10-4 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-10-4 Game breeder's licenses****Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-20****Affected: IC 4-21.5; IC 14-8-2-108; IC 14-22-20**

Sec. 4. (a) A person shall apply for a **game breeder's license** ~~as a game breeder on a departmental~~ **in a form and manner prescribed by the department that includes the following information:**

- (1) The name of the applicant.**
- (2) The address of the applicant.**
- (3) The county of residence for the applicant.**
- (4) The location where wild animals are kept if not at the applicant's address under subdivision (2).**
- (5) The phone number of the applicant.**
- (6) The species of wild animal to be kept under the game breeder's license.**

**(b) A person holding a game breeder's license** ~~holder~~ **under this section may possess at least one (1) or more of the following:**

- (1) Ring-necked pheasant (*Phasianus colchicus*).**
- (2) Bobwhite quail (*Colinus virginianus*).**
- (3) Eastern cottontail rabbit (*Sylvilagus floridanus*).**
- (4) Gray squirrel (*Sciurus carolinensis*).**
- (5) Fox squirrel (*Sciurus niger*).**
- (6) Beaver (*Castor canadensis*).**
- (7) Coyote (*Canis latrans*).**
- (8) Gray fox (*Urocyon cinereoargenteus*).**
- (9) Red fox (*Vulpes vulpes*).**
- (10) Mink (~~Mustela~~ (**Neovison** *vison*)).**
- (11) Muskrat (*Ondatra zibethicus*).**
- (12) Opossum (~~Didelphis marsupialis~~ **virginiana**).**
- (13) Raccoon (*Procyon lotor*).**
- (14) Striped skunk (*Mephitis mephitis*).**
- (15) Long-tailed weasel (~~Mustela~~ (**Neogale** *frenata*)).**
- (16) Least weasel (*Mustela nivalis* or *Mustela rixosa*).**
- (17) Bobcat (*Lynx rufus*).**

**(c) A person holding a game breeder's license** ~~holder under subsection (a)~~ **may lawfully acquire and possess the following:**

- (1) A furbearing ~~mammals and~~ or an eastern cottontail ~~rabbis~~ **rabbit** that ~~must have been one (1) of the following is:~~**
  - (A) lawfully taken ~~in~~ during a season to take the wild animal; or**
  - (B) born in captivity.**
- (2) ~~Fox squirrels and~~ A squirrel or a gray ~~squirrels~~ **squirrel** that ~~have been~~ **is** born in captivity.**
- (3) A ring-necked ~~pheasants and~~ **pheasant** or a bobwhite quail that ~~have been~~ hatched in captivity.**

**(d) A person holding a game breeder's license** ~~holder~~ **under subsection (a) may possess the following:**

- (1) A furbearing ~~mammals, squirrels, and~~ **mammal, as defined by IC 14-8-2-108, squirrel, or** eastern cottontail ~~rabbis~~ **rabbit** for breeding purposes under IC 14-22-20.**

(2) A ring-necked pheasant and pheasant or a bobwhite quail for:

- (A) breeding; purposes
- (B) food; or
- (C) release.

(e) A person ~~must~~ **shall** apply for a **game breeder's** license under this section:

- (1) ~~within not later than~~ five (5) days after ~~the acquisition of an~~ **acquiring a wild** animal ~~within Indiana in the state;~~
- (2) ~~within not later than~~ five (5) days after ~~the importation of an~~ **importing a wild** animal ~~into Indiana to the state;~~ or
- (3) if ~~it~~ **the wild animal** is a raccoon, red fox, gray fox, or coyote and obtained ~~within the~~ **in** a trapping season for ~~that the~~ species of animal, ~~within not later than~~ five (5) days ~~of~~ **after** the close of the season for ~~that the~~ species.

~~Each~~ (f) **An** enclosure for ~~these animals~~ **a wild animal** must be inspected by a conservation officer before a **game breeder's** license may be issued.

~~(f)~~ (g) **A person holding a game breeder's** license ~~holder under this section~~ may add a species other than ~~those~~ **a species** identified in the application upon:

- (1) ~~an~~ inspection by a conservation officer; or
- (2) approval by the division. ~~of fish and wildlife~~

**A person holding game breeder's license shall notify a** conservation officer ~~must be notified within~~ **not later than** five (5) days ~~of acquisition of the~~ **after acquiring** a new species.

~~(g)~~ (h) **A person holding a game breeder's** license ~~holder under this section who~~ **that** imports:

- (1) ~~any~~ **a live animal;** ~~under this license;~~ or
- (2) the eggs of ~~birds covered under this license;~~ **a bird;**

~~must~~ **shall** secure a certificate of veterinary inspection from an accredited veterinarian in the state of origin or certificate of compliance ~~as specified at~~ **under** 345 IAC 1-3-24 before the **live** animal or egg is shipped ~~into Indiana to the state.~~ Documentation in the form of a copy of a valid ~~game breeder~~ **breeder's** license or valid dated receipt that establishes lawful acquisition or ownership must accompany ~~any~~ transportation of ~~wild animals~~ **the live animal or egg.**

~~(h)~~ (i) **A person holding a game breeder's** license ~~holder under this section must~~ **shall** present at least one (1) of the following for inspection upon the request of a conservation officer for each animal possessed **by the person holding a game breeder's license:**

- (1) A receipt.
- (2) An invoice.
- (3) Other satisfactory evidence of lawful acquisition. ~~including documentation of natural birth.~~

~~(i) For ring-necked pheasants, bobwhite quail, furbearing mammals, eastern cottontail rabbits, fox squirrels, and gray squirrels~~ (j) The following requirements apply **to possession of a wild animal under subsection**

**(b):**

- (1) **Confine** a wild animal ~~must be confined in~~ to a cage or other enclosure that:
  - (A) makes escape of the **wild** animal unlikely; and
  - (B) prevents the entrance of a free-roaming **wild** animal of the same species.
- (2) ~~The~~ **Provide** a cage or enclosure ~~shall be~~ large enough to:

- (A) allow the wild animal to turn about freely; and
- (B) make normal postural adjustments.
- (3) ~~All~~ **Provide a** chainlink or welded wire edges shall be:
  - (A) smoothly secured to prevent injury to the ~~animals~~; **wild animal**; and
  - (B) kept properly ~~repaired~~ **maintained**.
- (4) **Provide a** night ~~quarters~~ **quarter**, a holding ~~pens and~~ **pen**, or a nesting ~~boxes~~ **box** may not be used as primary housing.
- (5) ~~The following shall be provided~~ **Provide the following** as ~~required~~ for the comfort of the particular species of **wild animal**:
  - (A) Fresh water.
  - (B) Rainproof dens.
  - (C) Nest boxes.
  - (D) Windbreaks.
  - (E) Shelters.
  - (F) Shade.
  - (G) Bedding.
- (6) ~~Each animal shall be handled, housed,~~ **Handle, house,** and ~~transported~~ **transport a wild animal** in a sanitary and humane manner.
- (7) ~~An enclosure must be provided~~ **Provide enclosures** with sufficient drainage to prevent standing water from accumulating.
- (8) ~~The cages~~ **Make a cage** or other ~~enclosures must be made~~ **enclosure** available upon request for inspection by a conservation officer.

~~(j) An~~ **(k) A wild animal** possessed under this section may be administered a pharmaceutical product ~~in accordance with~~ **under** state and federal laws ~~law~~ and approved by a state or federal agency for the purpose of ~~prevention~~ **preventing** or ~~treatment of any of~~ **treating** the following:

- (1) Malnutrition.
- (2) Illness.
- (3) Disease.
- (4) Injury.
- (5) Stress.

A licensed veterinarian may administer ~~to an animal~~ an immobilizing agent, a tranquilizer, or a drug for euthanasia **to a wild animal** in compliance with ~~all~~ state and federal laws.

~~(k) A~~ **(l) A person holding a game breeder's license holder under this section** shall not release ~~animals an~~ **animal** possessed under this section except for a bobwhite quail ~~and or a ring-necked pheasants~~ **pheasant**. ~~A person holding a game breeder's license holder under this section~~ shall not release a known diseased bobwhite quail ~~and or a ring-necked pheasants~~ **pheasant**.

~~(l) A~~ **(m) A person holding a game breeder's license holder under this section must** ~~shall~~ not sell ~~an~~ **a wild animal** possessed under this section if the **wild animal** is known to be diseased.

~~(m) A~~ **(n) A person holding a game breeder's license holder under this section must** ~~shall~~ comply with all applicable state, local, or other federal laws that govern the possession and sale of ~~the animals~~ **a wild animal** possessed under this section.

~~(n)~~ **(o) A person holding a game breeder's license holder under this section shall do the following:**

- (1) Maintain an inventory of all wild animals possessed under this section.
- (2) Record all additions and deletions to the inventory for every wild animal that is:
  - (A) born or has died;
  - (B) sold;
  - (C) traded;
  - (D) loaned;
  - (E) bartered; or
  - (F) given to another person;

~~on a signed departmental form or computerized record with a signature that is either electronic or in ink. If recorded on a departmental form, the person must complete the~~ **in a form in ink, and manner prescribed by the department.**

- (3) Keep a copy of the complete and accurate inventory on the premises of the game breeder.
- (4) Provide a copy of the inventory to a conservation officer upon request.
- (5) Issue a valid, dated receipt prepared in ink for ~~all animals~~ **a wild animal** or ~~their products~~ **product** that ~~are~~ **is** sold, traded, bartered, or gifted and include the following information:
  - (A) ~~The game breeder~~ **breeder's** license number.
  - (B) ~~The~~ **buyer and seller** name and address.
  - (C) ~~The~~ **number of animals or products** sold.
  - (D) ~~The~~ **species of animal** sold.

A copy ~~of all~~ of the receipts ~~issued~~ must be on the premises of the game breeder for at least five (5) years after ~~the year of~~ the transaction.

~~(o)~~ **(p) A game breeder's license expires on December 31 of the year the license is issued. The A person holding a game breeder's license holder must shall file an application with the division by not later than January 31 of each calendar year in order to renew the game breeder's license. The An annual report must accompany the renewal application and shall must include for each species possessed under this the game breeder's license the number of wild animals:**

- (1) bought;
- (2) sold;
- (3) born;
- (4) traded;
- (5) gifted;
- (6) ~~of deaths;~~ **that died;** and
- (7) on hand.

~~(p)~~ **(q) A conservation officer may enter the premises of the a person holding a game breeder's license holder at all a reasonable hours time to conduct an inspection in accordance with subsections (q) (r) and (r)- (s).**

~~(q)~~ **(r) During an inspection, the a person holding a game breeder's license holder or the license holder's designee shall of the person holding the game breeder's license shall comply with both of the following:**

- (1) Meet the conservation officer at the time of inspection to provide access to all enclosures where **wild** animals possessed under ~~a the game breeder's license issued under this section~~ are housed.
- (2) Provide access to all records relative to the **game breeder's license. issued under this section**

~~(r)~~ **(s) While conducting an inspection, the conservation officer must shall comply with the following:**

(1) Upon request of the **person holding the game breeder's license holder** or the ~~license holder's~~ designee **of the person holding a game breeder's license**, and prior to entering the enclosure where **wild** animals are housed, follow appropriate sanitation practices to prevent the spread of disease if the **person holding the game breeder's license holder** provides sanitation supplies or protective equipment.

(2) Give due consideration to the safety and welfare of the **wild** animals.

(3) Notify the **person holding the game breeder's license holder** if the inspection reveals a violation ~~of~~ **under** this section or IC 14-22-20. The conservation officer may make a second inspection ~~after no sooner~~ **not earlier** than fifteen (15) days after the reported violations unless critical conditions exist as determined at the reasonable discretion of the conservation officer. The wild animals may be confiscated if the **person holding a game breeder's license holder** fails to correct the violations of the **game breeder's license** requirements.

~~(s)~~ **(t)** A **game breeder's license** may be suspended, denied, or revoked under IC 4-21.5 if the **person holding a game breeder's license holder** fails to comply with ~~any of~~ the following:

(1) A provision of a **game breeder's license** issued under this section.

(2) IC 14-22-20.

(3) ~~All~~ Applicable state, local, or other federal laws.

**(u) A person shall pay the fee for a game breeder's license under 312 IAC 1.5-4-11.** *(Natural Resources Commission; 312 IAC 9-10-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2728; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jan 26, 2004, 10:45 a.m.: 27 IR 1789; filed Jan 8, 2007, 9:11 a.m.: 20070207-IR-312060193FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Apr 8, 2010, 1:49 p.m.: 20100505-IR-312090486FRA; filed Dec 10, 2010, 10:36 a.m.: 20110105-IR-312100104FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR312190325RFA)*

SECTION 6. 312 IAC 9-10-12 IS AMENDED TO READ AS FOLLOWS:

### **312 IAC 9-10-12 Fur buyer's license**

**Authority:** IC 14-11-2-1; IC 14-22-2-6; IC 14-22-19

**Affected:** IC 14-22-19-3

Sec. 12. (a) This section applies to a person ~~who~~ **that** is issued a fur buyer's license under IC 14-22-19-3.

(b) A **person shall obtain a** fur buyer's license ~~must be obtained~~ under this section before a person engages in the business of buying furbearing mammals, river otters, badgers, and bobcats or the untanned hides, skins, or furs of furbearing mammals, river otters, badgers, and bobcats in ~~Indiana.~~ **the state.**

(c) A person shall make application for a **fur buyer's license** under this section ~~on in a departmental~~ **and manner prescribed by the department that includes the following information:**

(1) **The name of the applicant.**

(2) **The address of the applicant.**

(3) **The county of residence for the applicant.**

(4) **The location where wild animal carcasses or hides are purchased.**

(5) **The phone number of the applicant.**



**(6) The names of any agents of the applicant, if applicable.**

(d) Except as otherwise provided in this subsection, a ~~licensed person holding a fur buyer~~ **buyer's license** may possess the ~~carcasses~~ **carcass** and untanned ~~hides~~ **hide** of:

- (1) ~~a furbearing mammals~~ **mammal, as defined by IC 14-8-2-108;**
- (2) ~~a river otters;~~ **otter;**
- (3) ~~badgers;~~ **a badger;** and
- (4) ~~bobcats;~~ **a bobcat;**

~~that are~~ lawfully taken until June 30 of the year the **fur buyer's** license expires.

(e) A ~~licensed person holding a fur buyer~~ **buyer's license** must do the following:

(1) ~~Not Possess the carcass or untanned hide or any part of a bobcat or badger unless if the carcass, untanned hide, or part was lawfully acquired outside Indiana.~~ **the state.**

(2) Document the date and method of lawful acquisition of each untanned hide or carcass of a ~~bobcat and~~ badger by obtaining from the seller a legible copy of: ~~any:~~

- (A) **a tag;**
- (B) **a receipt;**
- (C) **a hunting license;**
- (D) **a trapping license;**
- (E) **a permit to take or possess a badger;** or
- (F) **any** other appropriate record;

from the state or country where the **wild** animal, including any part or portion of the **wild** animal, ~~was~~ **is** acquired.

(3) Record the date and method of lawful acquisition of each untanned hide or carcass of a wild animal other than a ~~bobcat and~~ badger.

(f) A ~~licensed person holding a fur buyer~~ **buyer's license** may possess a carcass or untanned hide after June 30 of the year the **fur buyer's** license expires ~~upon when the submission of person submits~~ a signed report to the department **by not later than June 30 of the year the fur buyer's license expires** identifying the species, number, and location of furs or carcasses kept.

(g) A ~~licensed person holding a fur buyer~~ **buyer's license** must issue a valid, dated receipt for ~~any~~ a wild animal that is sold, traded, bartered, or gifted. The receipt must include the following information:

- (1) The fur buyer's license number.
- (2) The buyer's and the seller's names and addresses.
- (3) The:
  - (A) number; and
  - (B) species;
 of **wild** animals sold.

(h) A conservation officer may, at ~~any~~ a reasonable time, inspect the records, hides, and carcasses of wild animals possessed by a ~~licensed person holding a fur buyer.~~ **buyer's license.** (*Natural Resources Commission; 312 IAC 9-10-12; filed May 12, 1997, 10:00 a.m.: 20 IR 2732; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Feb 26, 2015, 2:01 p.m.: 20150325-IR-312140341FRA;*

*readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)*

The Indiana DNR Division of Fish and Wildlife is requesting final adoption of the proposed rules in this package, LSA #24-383. The Indiana General Assembly passed SEA 241-2024 which requires the department to adopt rules to establish a season to take bobcats in the state.

The proposed change in 312 IAC 9-2-3 would allow for the sale of bobcats, including any part of a bobcat, lawfully taken in Indiana, which is consistent with current law allowing the sale of the parts of river otters and furbearing mammals (coyotes, foxes, raccoons, etc.) that are lawfully taken. The proposed permanent rule change in 312 IAC 9-3-9 would allow an individual to keep a bobcat that is found dead if the individual holds a permit to possess a wild animal found dead from the department. These changes are consistent with the rules permitting other wild animals that may be kept if an individual finds the wild animal dead. There is not a fee for this permit. Changes to 312 IAC 9-3-18.1 set forth the trapping season for bobcats, and 312 IAC 9-10-4 would add bobcats to the list of species for which a game breeder's license is required. Additional changes are made to 312 IAC 9-3-18.4, removing the specified documentation requirements for bobcats since bobcats may be trapped during the season under 312 IAC 9-3-18.1 and to 312 IAC 9-10-12 governing fur buyer licenses to remove the references to bobcats to eliminate the need for additional documentation to purchase bobcat hides.

To provide some background information, bobcats prefer forested areas that have brushy areas, fields, or clear cuts that are beginning to regrow mixed in. They are rarely seen because of their ability to blend into their surroundings and move silently. Female bobcat home ranges may vary from 6–12 square miles, and male bobcat home ranges may vary from 30–75 square miles. Bobcats are primarily nocturnal, hunting and moving during early-morning and late-evening hours; however, seeing a bobcat during the day is not cause for concern. Indiana research has documented bobcat diets to include rabbits, mice and voles, squirrels, white-tailed deer, especially fawns, muskrats, waterfowl and songbirds. Indiana research did not document wild turkey consumption by bobcats, though bobcats would eat a wild turkey if they manage to catch one. Bobcats are territorial and generally solitary animals. While bobcats can breed year-round, the vast majority of mating generally occurs in early spring during February and March with the young being born after a 62-day gestation period. An average litter of 1–3 kittens is born in April or May. The female may move the kittens to several different dens during the growth period. Males do not assist in raising the young. The young generally remain with the female until they reach 1 year of age then disperse. Kitten survival is associated with prey abundance, with more young surviving during the years of higher rabbit and other small-mammal populations.

The department believes the population in the southern part of the state is sufficient to withstand a regulated bobcat trapping season based upon the population model data. The bobcat population has expanded during the last two (2) decades. Illinois, Michigan, Kentucky, and Wisconsin currently have seasons to take bobcats and continue to have a self-sustaining population of bobcats. The department will continue to monitor and research bobcat populations, including, monitoring trends on the Archer's Index, bobcat health as related to diseases and contaminants, and public observations, as well as coordinating efforts to update the population model and obtain more information about bobcats through research and the best available data.

Below please find department responses to specific comments.

*Comments requesting a harvest quota of zero (0) for the bobcat trapping season in 312 IAC 9-3-18.1.*

*Response:* The department, as required by the Indiana Code under SEA 241-2024

(<https://iga.in.gov/legislative/2024/bills/senate/241/details>), is proposing a rule to establish a season that would allow for the harvest of bobcats in Indiana. Purdue University researchers developed a population model for department staff to utilize. This population model allowed the department to propose harvest levels that will be sustainable. The population model incorporates the basic aspects of bobcat life history and simulates bobcat population dynamics in Indiana. The population model is conservative and assumes adult female bobcats do not raise young in habitats less than nine (9) square miles. The population model also assumes existing mortality sources remain at the same level and harvest mortality is added to those mortalities. The population model shows that a harvest quota of two hundred fifty (250) is a sustainable harvest that will not negatively impact bobcat populations. The model assumes that every year bobcats will still have mortality from other sources like roadkill and disease and the harvest quota of two hundred fifty (250) is the number that is sustainable in addition to existing mortalities.

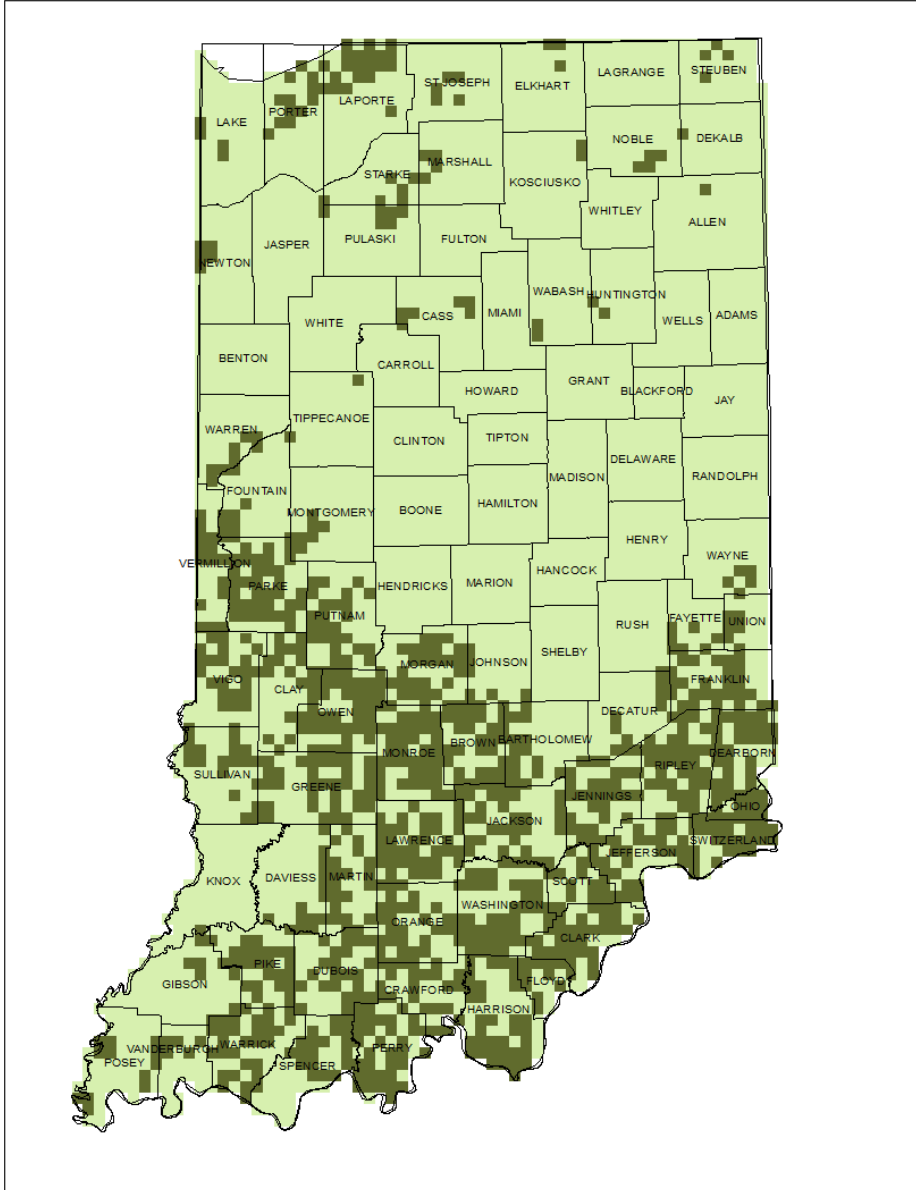
The department believes the population in the southern part of the state is sufficient to withstand a regulated bobcat trapping season based upon the population model data. The bobcat population has expanded during the last two (2) decades. Observations on the Archer's Index increased from under one (1) bobcat seen per one thousand (1000) hours hunted in the 1990s to four (4) bobcats seen per one thousand hours (1000) hours hunted since 2020; and reported mortalities primarily from being hit by a car went from less than fifteen (15) in 2005 to more than ninety (90) in 2015. The population continues to expand into new areas of the state. Additionally, the number of landowners requesting a permit to take bobcats that are killing livestock increased from fourteen (14) in 2018 to twenty-eight (28) in 2023.

Seventy-five percent (75%) of adult bobcats survive from one (1) year to the next, and ninety-five percent (95%) of bobcats less than two (2) years of age survived from one (1) year to the next. The numbers in Figure 4 do not reflect the survival rates of a bobcat less than one (1) year of age, or a bobcat that is at least one (1) year of age and not more than two (2) years of age.

Purdue University also determined bobcat habitat selection and home range size from collaring bobcats. Bobcats in the state preferred forest edges and somewhat avoided agriculture when selecting habitats. Adult, female bobcats need approximately nine (9) square miles to successfully raise their young. Male bobcats are not monogamous and do not pair with one (1) female bobcat mate, so male bobcat home ranges typically overlap multiple female bobcat habitats and were an estimated ninety-one (91) square miles. The home range numbers are representative of the time beginning in the early 2000s and ending in the mid-2000s when populations in the southern part of the state were still emerging and growing in many areas. The numbers are likely to shift as bobcat populations and densities change.

From this habitat and home range research, Purdue University made a map of the available bobcat habitats, see Figure 1 below. Figure 1 shows the calculation of the areas that are suitable for an adult, female bobcat to find nine (9) square miles to successfully raise their young. Figure 1 shows a conservative estimate of bobcat habitats. Figure 1 assumes that anywhere that does not provide nine (9) square miles of habitat is not a bobcat habitat. This estimate is calculated based on adult female bobcat needs. However, young bobcats will disperse through other habitats, live in the habitats while waiting for territories to be available, and adult female bobcats will also live in habitats that are less than ideal to raise their young when required to do so. This system is a binary yes or no regarding whether a block is suitable for a bobcat and does not account for the possibility of larger or smaller home ranges, male home range needs, or dispersing bobcats. The dark green squares represent quality habitats of blocks of nine (9) square miles with habitats suitable for adult female bobcats to raise their young.

Figure 1



Bobcats were collared and tracked by capturing them in traps in the state during the late 1990's and early 2000's. Collaring occurred in the southern part of the state, primarily in Daviess, Greene, Lawrence, and Martin Counties. Multiple aspects of bobcat life history were collected, including information about survival and mortality. The information was summarized in an American Midland Naturalist publication in 2020.

Motor vehicle accidents are the leading cause of death for bobcats collared for research. Fifty-three percent (53%) of bobcats collared for research were taken because the bobcat was struck by a motor vehicle. The annual bobcat mortality survey conducted until 2020, which found motor vehicle accidents were the leading cause of bobcat mortality in the state, reflects similar percentage. See Figure 2.

Figure 2

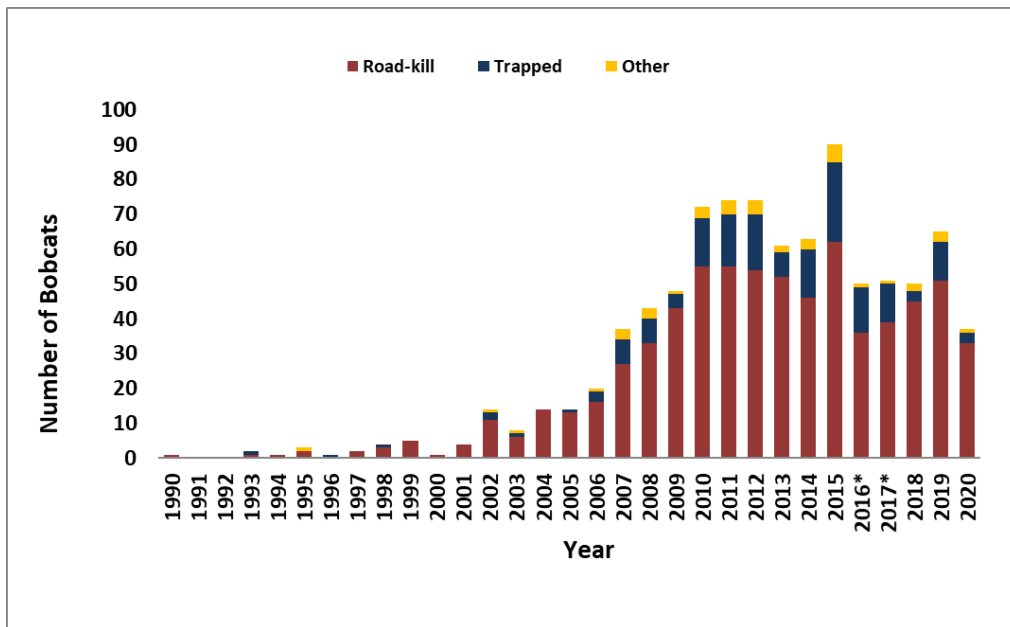
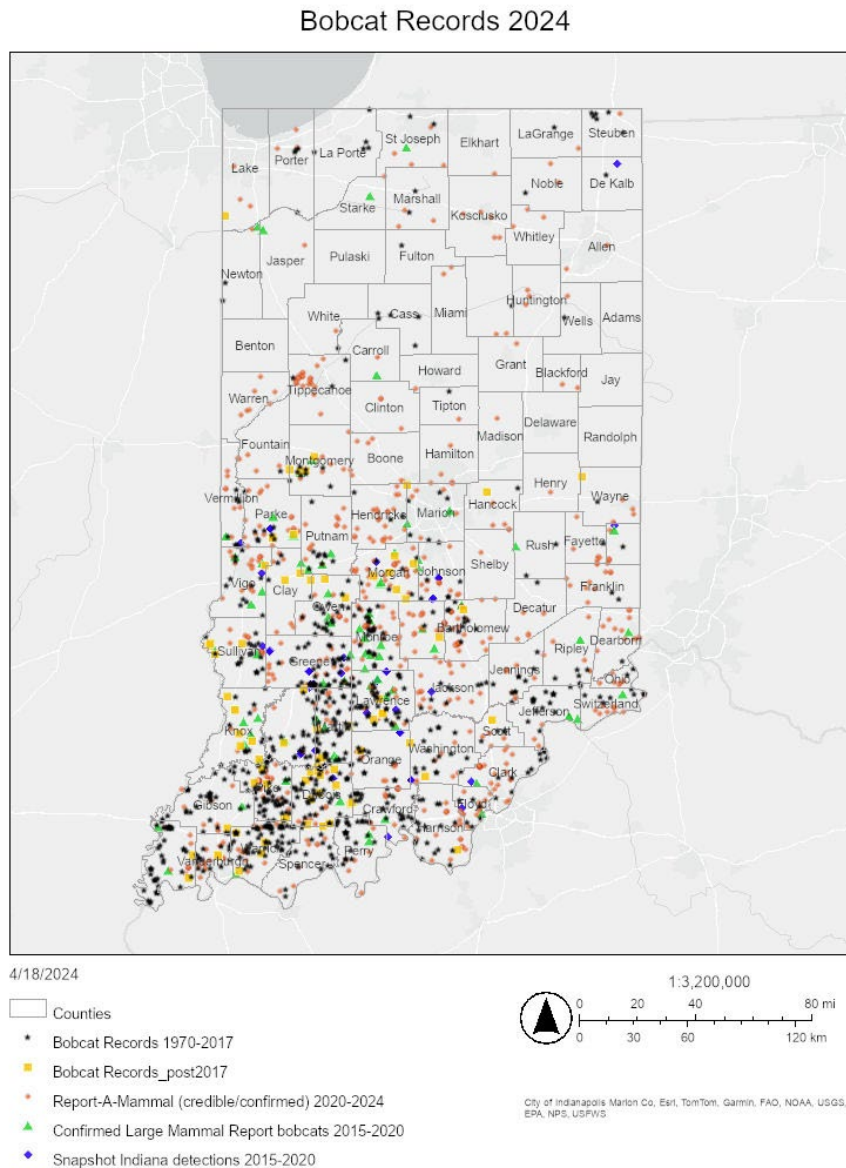


Figure 3 below shows all documented bobcats since 1970, and Figure 2 below shows public reports of bobcats that are confirmed from the Large Mammal Report (2015–2020) and confirmed or credible on the Report-A-Mammal website through March of 2024.

Figure 3



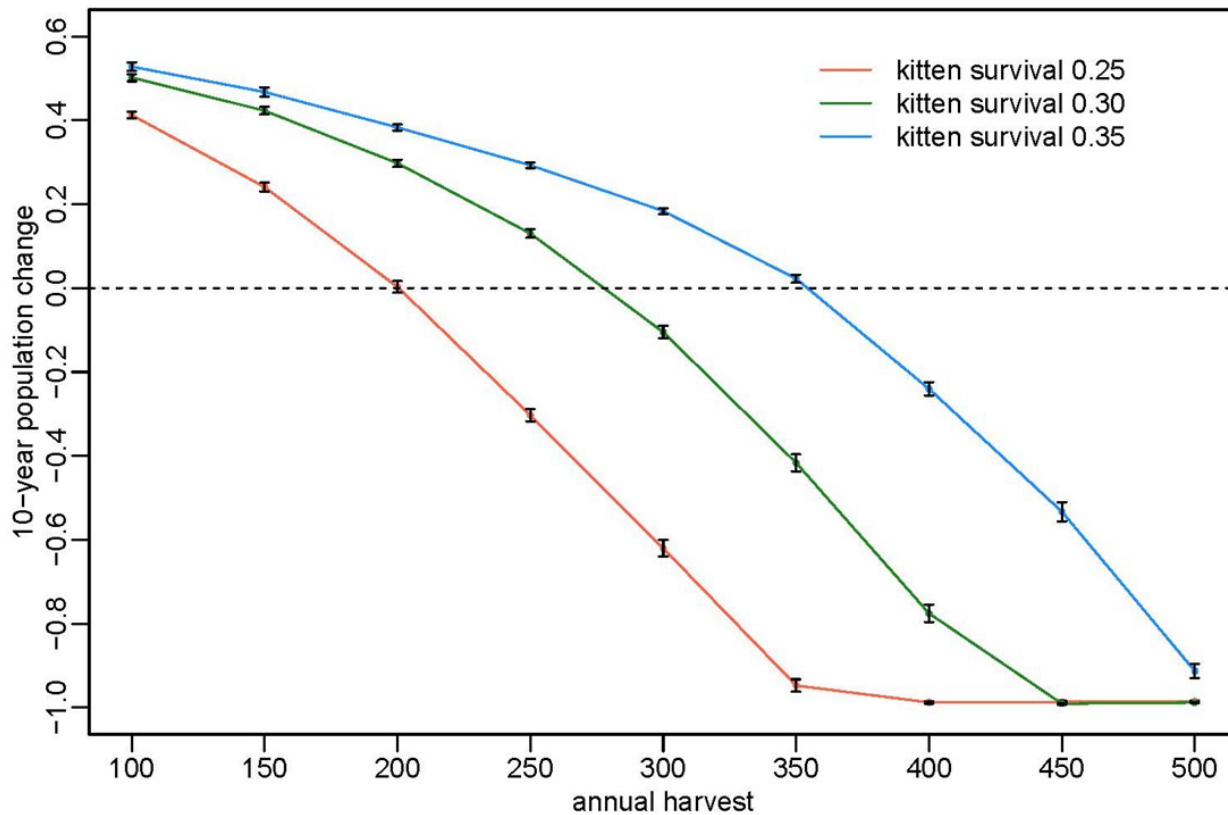
*Comments regarding allowing more than two hundred fifty (250) bobcats to be taken in a season under 312 IAC 9-3-18.1.*

**Response:** A bobcat trapping season quota of two hundred and fifty (250) bobcats was calculated using the population model established by Purdue University. Using this model, the department can simulate different levels of harvest to determine what's sustainable. Three (3) different levels of survival are used in the model's simulation for bobcat young, ranging from twenty-five hundredths (0.25) or two and five tenths (2.5) bobcat young of every ten (10) that survive the first year, to thirty-five hundredths (0.35) or three and five tenths (3.5) bobcat young of every ten (10) born that survive the first year. Survival of bobcat young is based on research in other states. The dotted line in Figure 4 below shows the threshold for a stable population. Numbers above the dotted line are stable to increasing. The green line is the standard with the survival of bobcat young at three tenths (0.3), or three (3) of every ten (10) bobcat young born that survive their first year, which is above the dotted line with a harvest quota of two hundred fifty (250). Bobcats typically have at least one (1) and not more than three (3) kittens each year and the model



includes this variability. Therefore, the population model shows that a harvest quota of two hundred and fifty (250) is a sustainable harvest level.

Figure 4



Simulations from the bobcat population model at varying levels of survival of bobcat young. The center line (green) is the baseline, which uses .3 bobcat young survival, or 3 in every 10 young living through their first year. The dot where the harvest quota is two hundred fifty (250) annual harvest is above the dotted line, so the department can be confident that the level is a sustainable harvest level for bobcats. At this level, bobcat populations should still continue to grow.

*Comments regarding the selection of counties open to trapping bobcats under 312 IAC 9-3-18.1.*

*Response:* The counties listed in the proposed rule are the counties where the habitat analysis done by Purdue University shows good coverage of quality habitats that can support a healthy, self-sustaining bobcat population and have regular documentation of bobcats in department records. The public assists the department to understand when bobcats may be expanding into new counties by reporting bobcat sightings. Beginning in 2015, the department started collecting reports of bobcats and confirms them with photographic or video evidence.

The Archer's Index is a population trend survey the department uses to monitor changes in bobcat populations. Volunteer bow hunters sign up in advance and report the hours, the county, and each species observed while hunting during the October and early November archery season. The survey began in 1992. Average bobcat observations on the Archer's Index increased from an average of less than one (1) bobcat seen for each one thousand (1,000) hours hunted in the 1990s, to four (4) bobcats seen for each one thousand (1,000) hours hunted beginning in 2020.

Comments were received specifically about Johnson County being open for trapping bobcats. While the department understands this concern, both the habitat and reports support the trapping of bobcats in this county. Portions of Atterbury Fish and Wildlife Area and Camp Atterbury Joint Maneuver Training Center are public properties in Johnson County that provide large expanses of habitat for bobcats.

The department is proposing to have an open season only in those counties where there is a healthy, reproductive population with high quality habitats capable of supporting a bobcat population. There are counties that have suitable habitats, but fewer documented bobcats. The department considers the counties to have emerging bobcat populations; therefore, the department is not proposing to open additional counties at this time.

*Comments regarding allowing the hunting of bobcats under 312 IAC 9-3-18.1.*

*Response:* The decision to pursue a trapping-only season is to start with a conservative approach, allowing a limited, controlled opportunity to ensure the population is properly managed. As with other species, such as river otter, the department is starting with a conservative, limited season. For these reasons, the department is not currently pursuing a hunting season for bobcats. The department will continue to evaluate the bobcat population and changes will be proposed when needed as more population data is obtained.

*Comments regarding the trapping season dates under 312 IAC 9-3-18.1.*

*Response:* The department is proposing the season dates beginning November 8 and ending January 31 of the following year to coincide with trapping seasons for other species, since the raccoon, opossum, coyote, fox, and skunk trapping seasons are open during those dates. This allows trappers to set traps for a bobcat at the same time and keep a bobcat that may be inadvertently captured in a trap set for a coyote or fox. Furthermore, bobcat young are expected to have dispersed or, at least, not be dependent upon their mothers during the proposed trapping season. A season that lasts throughout the entire year, or a season that is open beginning in March and ends during the early fall could cause bobcat young to be orphaned that are still in need of care since bobcat young are typically born in April or May.

*Comments regarding allowing traps to be used to take bobcats under 312 IAC 9-3-18.1.*

*Response:* The department is proposing to allow only cage traps, foothold traps allowed under 312 IAC 9-3-18, and snares legal under 312 IAC 9-3-18 with a relaxing snare lock. These traps have been tested and shown to be humane for trapping bobcats under the Association of Fish and Wildlife Agencies' Furbearer Management Best Management Practices for Trapping Program (BMPs). This program ensures that trapping devices and techniques used are the most humane, safe, selective, efficient and practical devices. Traps are evaluated using standards and protocols developed by the International Organization for Standardization (ISO). Trapping is highly selective based on the size and placement of the trap, in

addition to the lure used. Foot-hold traps using saw-toothed and spiked jaws are already illegal to use in Indiana under 312 IAC 9-3-18. Traps are currently allowed to take river otters, beavers, muskrats, coyotes, racoons, and several other species in Indiana and restrictions on the size and type of trap allowed are set forth in 312 IAC 9-3-18. Regulated trapping provides an important management tool for these species. Furthermore, IC 14-22-6-4 requires a person to check these types of traps every twenty-four (24) hours. Regulated trapping under the authority of this rule is exempt from the Indiana code provisions governing animal cruelty.

*Comments regarding impacts to the people of Indiana related to bobcats under 312 IAC 9-3-18.1*

*Response:* Bobcats are important to a variety of people in Indiana and for different reasons. Economics research conducted with Purdue University determined the willingness for licensed hunters and trappers to pay for a bobcat license, as well as the combined intrinsic and viewing value of bobcats. SEA 241-2024 (<https://iga.in.gov/legislative/2024/bills/senate/241/details>) created a bobcat license and set the associated fees. This fee will impact trappers as it is in addition to the annual trapping license. These fees will be deposited in the Fish & Wildlife Fund, which supports wildlife management programs. Some livestock producers may see decreased damage costs from having a limited season, as some problems may be dealt with during the season by a licensed trapper rather than having to hire someone out of season. This could reduce costs and prevent further damage costs as individual animals causing conflict are removed. Wildlife viewers and photographers are not expected to be impacted as the conservative season proposal will continue to allow for stable to increasing bobcat populations for viewing and photographing opportunities.

*Comments regarding opposition to allowing the sale of bobcats and their parts under 312 IAC 9-2-3.*

*Response:* The department currently allows the sale of the hides and parts of furbearing mammals that are trapped, including foxes, raccoons, beavers, river otters, and skunks. For bobcats to be utilized to the fullest extent possible, which is an important aspect of regulated trapping, licensed trappers need the ability to sell bobcat hides and parts. Bobcat meat may be eaten and is eaten by those that harvest a bobcat.

*Comments regarding allowing a permit to be issued to keep a bobcat that was found dead under 312 IAC 9-3-9.*

*Response:* The proposed rule allows an individual to keep a bobcat that is found dead if the individual obtains a roadkill salvage permit to possess a wild animal from the department. These changes are consistent with the rules permitting other wild animals to be kept if an individual finds the wild animal dead, such as white-tailed deer. This allows the legitimate use of the bobcat hide without having to dispose of it by means such as burial or in a landfill. Roadkill cannot be registered as legal harvest and will not count toward the season harvest quota. Roadkill salvage permits do not allow for the acquisition of CITES tags, which are required by the Convention on International Trade in Endangered Species of Flora and Fauna, for international trade and the animal cannot be sold, bartered, or gifted (except to educational institutions). Bobcats found dead will not be able to be used to increase an individual's bag limit and allow them to take more bobcats.

*Comments opposing the addition of bobcats to the game breeder's license under 312 IAC 9-10-4.*

*Response:* The proposed rule adds bobcats to the list of species for which a game breeder's license is required. Under IC 14-22-20-1, a game breeder's license is required to propagate in captivity; and possess, buy, or sell wild animals. IC 14-22-20-2 also allows an individual to possess wild animals that are legally taken in an open season, such as the proposed bobcat trapping season, to apply for a game breeder's license not later than five (5) days after the last day of the open season for the wild animal. While comments were received about the amount of time the bobcat would be held in captivity, the Indiana General Assembly is the entity that would be able to change this allowance. Bobcats are not allowed to be released into the wild under the game breeder's license under 312 IAC 9-10-4(k). Currently, a USDA license is required to sell a bobcat as a pet in Indiana, and a state license is not required to sell a bobcat because of an exemption under 312 IAC 9-11-1. Therefore, bobcats are already being held in captivity and

sold under a USDA license. By adding bobcats to the game breeder's license, the department can ensure that bobcats possessed and sold in Indiana are legally acquired with required documentation of legal acquisition, and an annual inspection by a conservation officer to ensure that the animals are handled, housed, and transported in a sanitary and humane manner (312 IAC 9-10-4(i)). This helps ensure the conservation of the bobcat population. There is only one (1) known bobcat breeder in the state, and the department does not believe that the proposed rule will increase the number of breeders in Indiana. Furthermore, a wild animal possession permit is required under 312 IAC 9-11 to possess a bobcat as a pet. Because of the exemption in 312 IAC 9-11-1 for USDA license holders, there are already USDA license holders in Indiana that are selling bobcats as pets without a permit from the department. The USDA inspectors under the Animal Welfare Act are not able to always ensure that the animal was obtained legally (just that paperwork is filled out), allowing bobcats to be illegally taken from the wild and sold under that license. Furthermore, the USDA has a history of licensing facilities with multiple violations for the care and housing of big cats (and other animals) in Indiana for years before taking action to remove those animals and further, must go through a longer legal process before any action can be taken to remove those animals from those conditions, sometimes threatening the welfare of the public and that of the cats themselves. Regarding avian influenza in bobcats, the department does not prohibit the possession of other species of animals held under permits due to the possibility of catching a disease, including distemper or rabies. Furthermore, avian influenza has been documented in other mammals, including foxes, skunks, and raccoons, which are commonly taken from the wild. Additional comments expressed concern about the possession of bobcats in captivity, the department cannot prohibit this possession under this rule package since the ability to possess them is authorized under 312 IAC 9-11, which is not included in this rule package. The department believes that it is imperative that bobcats sold in Indiana are acquired legally and housed in a safe and humane manner.

*Comments on bobcats as a source of controlling zoonotic diseases, such as chronic wasting disease.*

*Response:* Bobcats help with rodent control, which could have influences on some zoonotic diseases. However, this harvest level is conservative enough that bobcat populations should not be impacted, and their ecosystem function will not be in jeopardy. Bobcats are unlikely to help reduce the spread of Chronic Wasting Disease (CWD) in Indiana. While there is research using modeling that large carnivores like mountain lions and wolves may help control CWD through predation, this has not been shown for medium carnivores like bobcats that are unlikely to prey on adult deer. CWD infections are predominantly in adult deer, with adult bucks being the most valuable for detecting CWD in a population. Bobcat prey is typically smaller, like rodents, squirrels, and rabbits, and deer consumption is primarily young fawns. Laboratory research showed that bobcats that were fed infected meat reduced the volume of prions in the environment compared to the raw meat being in the environment. However, bobcats prefer fresh meat and rarely scavenge and prey on younger and smaller deer; therefore, the lab research is theoretical. Thirty-five (35) states currently have CWD, and they all have bobcat populations. None of these states have seen a reduction in CWD or a slowdown in CWD spread to date, despite bobcats being common in all of them.

*Comments:* The department received several comments outside the scope of this rule, including comments about trapping in general, the cost for law enforcement, and keeping bobcats as pets.

*Response:* The proposed rule does not deal with these topics. Currently, the department is only moving forward with the proposed rule.